



Illinois Ethics Matters

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Honesty, Integrity, Service

A newsletter from the Office of Executive Inspector General for the Agencies
of the Illinois Governor

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Recent News

The OEIG is pleased to announce that:

- **Christine P. Benavente** was promoted to Deputy Inspector General. She will retain her legislative duties. Investigator **Samantha Giacobbe** transferred to the Regional Transit Board Division Both changes are effective April 18, 2016
- **In re: CTA Staff** (Case #12-00314) was released to the public on April 15, 2016 by the Executive Ethics Commission.

Rules for Reporting Procurement and Other Communications



State employees at all agencies are covered by communications reporting rules under the Procurement Code relating to procurement and contracting. In addition, the State Officials and Employees Ethics Act sets Ex Parte Communications rules for nearly three dozen agencies.

Contracts: Any time a state employee with authority to participate personally and substantially in the decision to award a state contract receives a communication that makes a material argument or requests material information about that contract, the Procurement Code requires that the employee report the communication to the Procurement Policy Board. See 30 ILCS 500/50-39.

Licensing, Regulatory and Other Activities: The Ethics Act provides that any time a person contacts an agency listed in the Act to request material information or make material arguments about regulatory, quasi-adjudicatory, investment, or licensing matters pending before or under consideration by that agency, the employee who receives the communication must report to the ethics officer, who will make the report part of the official record. See 5 ILCS 430/5-50.

Statements or inquiries that are made at public hearings or forums; that are about procedure and practice, including about the format and manner of filings and the status of matters; and that are between state employees are generally exempt. But in certain situations when a private entity or representative of a private entity suggests that an agency take particular action, that communication should be made known to all with an interest in the outcome.

Review of Ethics Officer Duties

Every agency under the Governor, and each of the RTBs, is required to designate an ethics officer, and to notify the OEIG and the EEC within 30 days.

Ethics officers have three primary duties:

- Act as liaisons between their agency and the OEIG or the EEC. Such liaising may include providing information relating to revolving door determinations and other investigatory matters.
- Review statements of economic interest before they are filed with the Secretary of State or, for RTBs, the County Clerk.
- Provide guidance to agency employees in the interpretation and implementation of the Ethics Act, which may in good faith be relied upon.

Ethics officers play a key role in establishing the ethical tone in state government.